

August 19, 2013

The regular meeting of the Town Board of the Town of Clifton Park was held in the Town Office Building at 7:00 p.m., Supervisor Barrett presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG

Present: Councilman Whalen
Councilwoman Standaert
Councilman Romano
Councilwoman Walowit
Supervisor Barrett
Deputy Town Clerk Brobston

Also Present: Town Attorney McCarthy
Richard Kukuk, Superintendent of Highways
Barbara McHugh, Director of Community Development
Louis Pasquarell, Director of Safety and Security
John Scavo, Planning Director

Superintendent of Highways Kukuk, speaking with regard to drainage on Leonardo Drive, asked that the record reflect he has never asked the Town Board for permission to go on private property.

MOTION BY Councilwoman Walowit, seconded by Councilman Whalen to approve the minutes of the August 5, 2013 meeting as presented.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert,
Councilman Walowit, Supervisor Barrett

Noes: None

Abstain: Councilman Romano

MOTION CARRIED

ANNOUNCEMENTS AND COMMUNICATIONS

Supervisor Barrett congratulated the Clifton Park Knights baseball team for their successful season so far in the World Series.

Supervisor Barrett announced events for fall. Hazardous Waste Day, September 7 and Farm Fest the September 20-23.

PRESENTATION

Andi Pratt, Southern Saratoga YMCA, thanked the town for the support given in connection with the Farmers Market at the Clifton Park Town Center which is right outside the YMCA. She announced the market is on Saturdays from 9am to 1pm. She announced a Fall Harvest, Sept. 14 – Oct. 26 and Winter Market, Nov. 2 – April 26 are also in the planning stages. Anyone interested in participating as a farmer or vendors are welcome to contact the YMCA.

PUBLIC PRIVILEGE ON RESOLUTIONS

No one wished to be heard.

Resolution No. 189 of 2013, a resolution authorizing the transfer of \$500,000 from General Fund to Highway Fund for additional 2013 paving projects.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, additional paving projects are planned for 2013, and

WHEREAS, Supervisor Barrett recommends that \$500,000 be transferred from the General Fund into Highway Paving for the additional paving projects; now, therefore, be it

RESOLVED, that the Comptroller is authorized to increase General Fund Expenditures (A-1972-131) by \$500,000 from Unassigned Fund Balance; and be it further

RESOLVED, that Highway Fund Revenues (DA-5032) be increased by \$500,000 and Highway Fund Expenditures (DA-5110-30) be increased by \$500,000.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 190 of 2013, a resolution awarding the bid for milling and asphalt concrete paving used by the Highway Department.

Introduced by Councilwoman Walowit, who moved its adoption, seconded by Councilwoman Standaert.

WHEREAS, bids were received on August 1, 2013 for milling and asphalt concrete paving used by the Highway Department, and

WHEREAS, the Highway Superintendent has recommended that the low bid of Del Signore Blacktop Paving, 42 Brick Church Road, Troy, New York, be accepted for an amount not to exceed \$64.74 per ton, per attached recap; now, therefore, be it

RESOLVED, that the bid of Del Signore Blacktop Paving be accepted for an amount not to exceed \$64.74 for milling and 6F delivered in place.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 191 of 2013, a resolution declaring a public emergency pursuant to General Municipal Law Section 103(4), retroactive to July 22, 2013, and authorizing the transfer of \$46,250 from DA-5110-21 (Emergency Repairs) to DA-5120-200 (Bridge Account).

Introduced by Councilman Romano, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, General Municipal Law Section 103(4) authorizes municipalities to enter into contracts for necessary work without competitive bidding where the Town Board declares the situation to be a public emergency, and

WHEREAS, Highway Superintendent Richard Kukuk determined that the bridge at Carlton Road was in need of immediate repairs which could not await the competitive bidding process, and

WHEREAS, potential impact upon health, safety and welfare required the Highway Department to take immediate action and response, and

WHEREAS, highway engineering consultant Foit-Albert recommended Town and County Bridge and Rail, Albany, New York, as an emergency repair contractor experienced and equipped for bridgework and repair, and

WHEREAS, the plans provided by Foit-Albert and executed by Town and County Bridge and Rail resulted in a cost-effective repair which involved the least time-out of service for Carlton Road among available options for the repair, and

WHEREAS, Superintendent Richard Kukuk accepted the quote of Town and County Bridge and Rail in an amount of \$46,250, based on emergency circumstances necessary to repair the bridge and prevent further damage to the area, and has determined that the charges submitted pursuant to the quote were appropriate for the work that was required; now, therefore, be it

RESOLVED, that the Town Board hereby declares the potential damage threatened by the damage to the bridge, to be a public emergency, requiring immediate action which cannot await competitive bidding; and be it further

RESOLVED, that payment is authorized to Town and County Bridge and Rail, Albany, New York, for repairs to the Carlton Road Bridge in an amount of \$46,250, to be budgeted with a transfer of \$46,250 from DA-5110-21 (Emergency Repairs) to DA-5120-200 (Bridge Repair).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett
Noes: None

DECLARED ADOPTED

Superintendent Kukuk explained on May 15, 2013 he received notice from NYSDOT who inspected the bridge and red flagged it for immediate repairs. He explained a full replacement would have been approx. \$500,000 and the road would have been shut down for 3-4 months.

Resolution No. 192 of 2013, a resolution authorizing the Highway Superintendent to attend the New York State Association of Town Superintendents of Highways Conference September 17-20, 2013.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Romano.

WHEREAS, Highway Superintendent Richard Kukuk has requested authorization to attend the New York State Association of Town Superintendents of Highway Conference in Lake Placid, New York, September 17-20, 2013, at a cost not to exceed \$1000, and

WHEREAS, Superintendent Kukuk's attendance at the conference would provide a benefit to the Town; now, therefore, be it

RESOLVED, that Richard Kukuk is hereby authorized to attend the NYS Association of Town Superintendents of Highways Conference in Lake Placid, New York, September 17-20, 2013, at a cost not to exceed \$1,000, to be paid from A05010-00001 (Training-Conferences).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 193 of 2013, a resolution approving an outside user connection to the Clifton Park Sewer District No. 1 for property located at 752 Plank Road.

Introduced by Councilman Romano, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the Clifton Park Town Board, as Commissioners of the Clifton Park Sewer District No. 1, has received a request to extend service to land owned by Victor Sosnowski, dba Spartan Woodworking, at 752 Plank Road (SBL 265.19-3 -39), and

WHEREAS, Spartan Woodworking is constructing a single family residential home on the lot, intending to convey the home to Ron Zielenski, and

WHEREAS, the real property is located Outside the service area of the sewer district, and

WHEREAS, the Clifton Park Sewer District No. 1 has been approved by the New York State Comptroller's Department of Audit and Control, and

WHEREAS, the Town Board recognizes the environmental, planning and policy objectives met by approving sanitary sewer service over alternative plans for new septic systems; now, therefore, be it

RESOLVED, that the Town Board, as Commissioners of the Clifton Park Sewer District No. 1, hereby approves an outside user connection to the district's facilities for property located at 752 Plank Road, and be it further

RESOLVED, that permit fee of \$50 and connection fee of \$1,000 apply pursuant to Town Code §169-103; and be it further

RESOLVED, that the Outside User Agreement shall be assigned to the home to be constructed and connected to the Clifton Park Sewer District No. 1 facilities pursuant to site plan approval.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 194 of 2013, a resolution authorizing the Town to sponsor a Community Emergency Response Training (CERT) Program through the Citizen Corps grant.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, Citizen Corps provides training to help prepare residents for emergencies and disasters of all kinds, and introduces community volunteerism opportunities to support town emergency planning and preparedness, and

WHEREAS, the Citizen Corps grant provides funding for emergency training and public education, and

WHEREAS, as part of the town's recognition of September as Town and National Preparedness Month and commitment to providing residents with useful training as a means to encourage citizens to volunteer during disasters and emergencies of all kinds, the town wishes to provide CERT training for six weeks on Thursday evenings, beginning September 26, 2013 through October 31, 2013, at the Public Safety Building for residents of the town at no charge, and

WHEREAS, the program will prepare residents to join the group of CERT trained volunteers available to assist the town during disasters, emergencies and major incidents and will provide equipment to assist students and volunteers during emergencies; now, therefore, be it

RESOLVED, that the Town Board authorizes CERT training for residents of the Town of Clifton Park on six consecutive Thursdays, from September 26, 2013 through October 31 2013, at a total cost not to exceed \$4,000, to be paid from A-8762-015-200 (Citizen Corps Grant Expense) for instruction, supplies, equipment and team shirts.

Supervisor Barrett thanked the CERT volunteers who helped with the National Night Out event and for always willing to give of their time to different events scheduled and unscheduled emergencies. He also thanked the participants and organizers for the National Night Out event.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano, Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 195 of 2013, a resolution authorizing the Town of Clifton Park to sponsor CPR and AED classes as part of the CERT/Citizen Corps Grant Public Safety Education Program.

Introduced by Councilman Whalen, who moved its adoption, seconded by Councilwoman Walowit.

WHEREAS, the Citizen Corps grant funding provides emergency training to Town residents as provided by the Clifton Park-Halfmoon Ambulance Corps certified instructors and provides participants with an American Heart Association Certificate, and

WHEREAS, the CPR and AED class is scheduled to be conducted on Saturday, November 2, 2013 by the Clifton Park-Halfmoon Ambulance Corps, at a total cost not to exceed \$950, and

WHEREAS, this class is mandatory for new and current CERT volunteers needing re-certification and is also open to the residents of the town at no charge; now, therefore, be it

RESOLVED, that authorization is hereby given to the Town of Clifton Park to sponsor a CPR and AED class provided by the Clifton Park-Halfmoon Ambulance Corps at a cost not to exceed \$950, for instructions, books, materials and certifications, to be paid from A-8762-015 (Citizen Corps Grant Funding).

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

Resolution No. 196 of 2013, a resolution awarding the bid for equipment declared surplus by the Director of Safety and Security for the Town of Clifton Park.

Introduced by Councilwoman Standaert, who moved its adoption, seconded by Councilman Whalen.

WHEREAS, Resolution No. 185 of 2013, authorized the sale of out dated radios declared surplus by the Director of Safety and Security, and

WHEREAS, changes in requirements from the Federal Communications Commission required upgrades to municipal emergency communication systems, and

WHEREAS, Resolution No. 244 of 2013 authorized the purchase of a VHF 2-Way Town Wide Radio System to meet the new requirements, and

WHEREAS, the Director of Safety and Security declared the outdated equipment on the enclosed attachment as surplus property and recommends that such be advertised and sold by means of sealed bid, "as is", subject to New York State sales tax, with the Town of Clifton Park reserving the right to reject any bid and all bids, and

WHEREAS, said bid was advertised in the Schenectady Gazette on August 8, 2013 soliciting bids for this sale, and

WHEREAS, bids were received on August 19, 2013 for those radios listed on Exhibit A, attached, and

WHEREAS, the sole bidder for the surplus equipment is Wayne Redick, 82 2nd Street, Waterford, New York, for an amount of \$1,350 for the equipment listed on Exhibit A, and

WHEREAS, the equipment listed on Exhibit B did not receive any bids; now, therefore, be it

RESOLVED, that the Town Board accepts the bid of \$1,350 from Wayne Redick for the sale of the equipment as listed in Exhibit A, and be it further

RESOLVED, that the Director of Safety and Security is authorized to dispose of the remaining equipment as scrap, for parts, or by depositing in the electronics bin at the Transfer Station.

ROLL CALL VOTE

Ayes: Councilman Whalen, Councilwoman Standaert, Councilman Romano,
Councilwoman Walowit, Supervisor Barrett

Noes: None

DECLARED ADOPTED

PUBLIC PRIVILEGE

Joe Coccozzo, Leonardo Drive, explained he is worried about his bridge on his property coming down and going onto his property. He stated there is a lot more water flowing into the stream

now since the Highway Dept. put a new pipe in. He would like to have the water restricted. He questioned where the additional water is coming from.

Superintendent Kukuk stated he and the engineer went out and looked at the pipe. The engineer felt there was not additional water flowing. He stated the stream that comes down between Pepper Hollow and Sleepy Hollow can bring sediment down into the pipe and the Highway Dept. will continue to maintain keeping the sediment out of the pipe. Over the years the Highway crew has had to clean out the sediment in the pipe. He stated earlier in the year a sink hole was created because of the existing aluminum pipe crumbling. So the crew started at the basin and replaced the pipe that had deteriorated. The pipe had been carrying water for 30 years since Sleepy Hollow was built. He explained the pipe must have collapsed in the last year or two.

Supervisor Barrett explained the town is waiting for the engineers review to proceed.

Anne Friedman, Leonardo Dr., questioned how the engineer could estimate the percentage of water flow before finalizing the report. She questioned if the water flow that comes down Leonardo Drive and goes onto her property will increase.

Superintendent Kukuk stated he believed that estimate was a calculation according to the pipe circumference and total acreage of the water shed.

Beverly Czub, representative of the Shenendehowa Senior Center, announced their Country Fair to be held on Saturday, Aug. 23 from 11 am – 4 pm. A book sale will start at 9am. She explained it will be a family day with offerings for all ages. She also thanked the Town Board for their continuing support to the senior center. She also announced the center will be offering their roast beef dinner sponsored by Hannaford on the Friday before the Farm Fest weekend, Sept. 21st. with one 6pm seating.

MOTION by Councilwoman Walowit, seconded by Councilman Whalen, to adjourn the meeting to the next regular meeting or any other meeting necessary for the conduct of Town business.

Motion carried at 8.03 p.m.

Teresa J. Brobston
Deputy Town Clerk